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DECKERS OUTDOOR CORPORATION

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

DECKERS OUTDOOR  
CORPORATION, a Delaware  
Corporation,

Plaintiff,

vs.

ANTHONY MERZ, an Individual; and  
Does 1-10, Inclusive,

Defendants.

Case No.: CV 09-08137 SJO (RCx)

**PERMANENT  
INJUNCTION PURSUANT TO  
STIPULATION**

The Court, having read and considered the Stipulation for Permanent Injunction that has been executed by Plaintiff DECKERS OUTDOOR CORPORATION (“Plaintiff”) and Defendant ANTHONY MERZ (“Defendant”) in this action:

1           GOOD CAUSE APPEARING THEREFORE, THE COURT ORDERS that  
 2 this Permanent Injunction shall be and is hereby entered in the within action as  
 3 follows:

4           1.     This Court has jurisdiction over the parties to this action and over the  
 5 subject matter hereof pursuant to the provisions of the Lanham Act, 15  
 6 U.S.C. § 1051, et seq., as well as 28 U.S.C. § 1338(a) and 28 U.S.C. § 1331.

7           2.     Service of process was properly made on the Defendant.

8           3.     Plaintiff owns or controls the pertinent rights in and to, among others,  
 9 the following intellectual properties (hereinafter the “Intellectual Property”):

Intellectual Property:	Registration No.:	Registration Date:
UGG	3412734	April 15, 2008
(Trademarks)	3360442	December 25, 2007
	3166352	October 31, 2006
	3166351	October 31, 2006
	3166350	October 31, 2006
	3061278	February 21, 2006
	3050925	January 24, 2006
	3050903	January 24, 2006
	3050902	January 24, 2006
	3050865	January 24, 2006

1	Sun Logo	2314853	February 1, 2000
2	(Trademark)		
3			
4	ORIGINAL UGG BOOT	1460992	October 13, 1987
5	UGG AUSTRALIA		
6	(Trademark)		
7			
8	BABY UGGS	2624802	September 24, 2002
9	(Trademark)		
10			
11	UGG Brand label	VA0001669403	May 6, 2009
12	(Copyrights)		
13		VA0001675093	July 9, 2009
14			
15		VAu000664303	March 25, 2005

4. Plaintiff alleges that Defendant has made unauthorized uses of the Intellectual Property or substantially similar likenesses or colorable imitations thereof.

5. Defendant and his agents, servants, employees, officers, directors, subsidiaries, affiliated companies, and all persons in active concert and participation with him who receive actual notice of the Injunction are hereby restrained and enjoined, pursuant to 15 U.S.C. § 1116, from selling any and all products embodying the Intellectual Property in any manner, including generally, but not limited to, manufacture, importation, distribution, shipping, advertising, selling and/or offering for sale any counterfeit products using, bearing or embodying any of the Intellectual Property or any objects, marks, products

1 confusingly similar to the Intellectual Property (“Unauthorized Products”), and  
2 specifically:

3 i) Importing, manufacturing, distributing, advertising, selling  
4 and/or offering for sale any unauthorized products which picture,  
5 reproduce, copy or use the likenesses of or bear a confusing similarity  
6 to any of the Unauthorized Products;

7 ii) Importing, manufacturing, distributing, advertising, selling  
8 and/or offering for sale in connection thereto any unauthorized  
9 promotional materials, labels, packaging or containers which picture,  
10 reproduce, copy or use the likenesses of or bear a confusing similarity  
11 to any of the Intellectual Property;

12 iii) Engaging in any conduct that tends falsely to represent that, or  
13 is likely to confuse, mislead or deceive purchasers, Defendant’s  
14 customers and/or members of the public to believe, the actions of  
15 Defendant, the Unauthorized Products sold by Defendant, or  
16 Defendant himself is connected with Plaintiff, is sponsored, endorsed,  
17 approved or licensed by Plaintiff, or is affiliated with Plaintiff;

18 iv) Affixing, applying, annexing or using in connection with the  
19 importation, manufacture, distribution, advertising, sale and/or offer  
20 for sale or other use of any goods or services, a false description or  
21 representation, including words or other symbols, tending to falsely  
22 describe or represent such Unauthorized Products as being those of  
23 Plaintiff.

24 6. Defendant is ordered to deliver immediately for destruction all  
25 Unauthorized Products, including UGG® footwear and related products, labels,  
26 signs, prints, packages, wrappers, receptacles and advertisements relating thereto in  
27 his possession or under his control bearing any of the Intellectual Property or any  
28 simulation, reproduction, counterfeit, copy or colorable imitations thereof, and all

1 plates, molds, heat transfers, screens, matrices and other means of making the  
2 same, to the extent that any of these items are in Defendant's possession.

3 7. This Injunction shall be deemed to have been served upon Defendant  
4 at the time of its execution by the Court.

5 8. The Court finds there is no just reason for delay in entering this  
6 Injunction and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the  
7 Court directs immediate entry of this Injunction against Defendant.

8 9. The Court shall retain jurisdiction of this action to entertain such  
9 further proceedings and to enter such further orders as may be necessary or  
10 appropriate to implement and enforce the provisions of this Injunction.

11 10. This Court shall retain jurisdiction over the Defendant for the purpose  
12 of making further orders necessary or proper for the construction or modification  
13 of this consent decree and judgment; the enforcement hereof; the punishment of  
14 any violations hereof, and for the possible entry of a further Judgment Pursuant to  
15 Stipulation in this action.

16  
17 The Findings and Conclusions referenced apply only to the parties to the  
18 stipulation.

19  
20 IT IS SO ORDERED April 13, 2010

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HON. S. JAMES OTERO  
United States District Judge